IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2964 OF 2005

Deepak Mangal Bhoir ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.N.N. Gawankar with Mr. Arfan Sait, for the Applicant.

Mr.K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

4th May 2005

P.C.:

. Heard Counsel for the parties. Perused the record. The Applicant has been arrested in connection with offence registered with Kalyan Taluka Police Station in CR.No.I-96/2004 along with 30 accused. The incident in question has taken place on account of group rivalry. While considering bail application of other accused, I

have already observed that there is tendency to involve as many accused persons. Insofar as the present Applicant is concerned, he has been shown to have held knife in his hand at the scene of offence. However, on perusal of medical evidence, no injury caused to the victim is attributable to weapon such as knife. If it is so, applying the reasons which weighed with this Court in granting bail to co-accused Raghunath Bhoir, on parity, even this applicant deserves to be enlarged on bail on same conditions, as folllows.

(A) The Applicant is directed to be released on bail in connection with CR.No. I-96/2004 registered with Kalyan Taluka Police Station on executing personal bond in the sum of Rs.20,000/- (Rupees Twenty thousand only) with one or two local sureties in the like amount.

(B) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(C) The Applicant shall not enter Thane District during the pendency of the trial, except for attending Court cases on the specified dates.

(D) The Applicant shall inform his place of residence to the investigating officer as well as the trial Court within one week from the date of release. In addition, the Applicant shall report to the nearest Police Station once in a month on first Saturday of every English calendar month.

(E) The Applicant shall extend full co-operation to the trial Court for early disposal of the trial. If the trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the roznama, which will be a ground for cancellation of bail.

. Application disposed of on the above

terms.

(A.M.KHANWILKAR,J.)